

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

FILED

22 JUN 30 PM 3:44

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY [Signature] DEPUTY CLERK

CAUSE NO. 1:22-CV-527-LY

MICHAEL KLEINMAN; MMK
HOLDINGS, LP; AND AUSPRO
ENTERPRISES, LP,
PLAINTIFFS,

V.

CITY OF CEDAR PARK,
DEFENDANT.

ORDER

Before the court are Defendant's Rule 12 Motion to Dismiss [] Plaintiffs' Complaint and Request for Declaratory and Injunctive Relief filed June 15, 2022 (Doc. #5) and Plaintiffs' Response to Defendant's Rule 12 Motion to Dismiss [] Plaintiffs' Complaint and Request for Declaratory and Injunctive Relief filed June 29, 2022 (Doc. #12). Plaintiffs' First Amended Complaint and Request for Declaratory and Injunctive Relief was filed June 29, 2022 (Doc. #11). In light of the filing of Plaintiffs' amended complaint,

IT IS ORDERED that Defendant's Rule 12 Motion to Dismiss [] Plaintiffs' Complaint and Request for Declaratory and Injunctive Relief filed June 15, 2022 (Doc. #5 is **DISMISSED WITHOUT PREJUDICE**.

SIGNED this 30th day of June, 2022.

[Signature]

LEE YEAKEL
UNITED STATES DISTRICT JUDGE